

## **STATUS OF CLAIMS**

Claims 1 - 94 are pending.

Claims 34-49 and 56-70 have been allowed by the Examiner.

Claims 1-6, 8, 9, 11-29, 32, 33, 50-55, 71-79, 81, 82, 83 and 85-89 stand rejected by the Examiner.

Claims 7-10, 30, 31, 80-82, 84, 90 and 91 have been objected to by the Examiner.

Claims 7-10, 30, 31, 80-82, 84, 90 and 91 have been amended.

Claims 1-6, 11-29, 32, 33, 50-55, 71-79, 83, 85-89 and 92-94 have been withdrawn, without prejudice, herein.

## **REMARKS**

### **Allowable Subject Matter**

Applicant gratefully acknowledges Examiner's allowance of claims 34-49 and 56-70, as well as Examiner's statement that claims 7-10, 30-31, 80-82, 84 and 90-91 would constitute allowable subject matter if rewritten in independent form to include all limitations of the base claim and any intervening claims. Accordingly, Applicant has rewritten claims 7-10, 30-31, 80-82, 84 and 90-91 to include all the limitations of the base claims from which they depend, respectively. Thus, Applicant believes the application is ripe for allowance.

### **Claim Rejections Pursuant to 35 U.S.C. 112, Second Paragraph**

Claims 8, 9, 81 and 82 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out an distinctly claim the subject matter which applicant regards as the invention.

35 U.S.C. 112, second paragraph, states:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The present office action rejects Claims 8, 9, 81 and 82, specifically referencing the portions of the claims which state “said at least partially encapsulated leavening agent” as lacking sufficient antecedent basis. Applicant respectfully submits that Claims 8, 9, 81 and 82 as amended satisfy 35 U.S.C. § 112.

**Rejections based on 35 U.S.C. § 103 (a)**

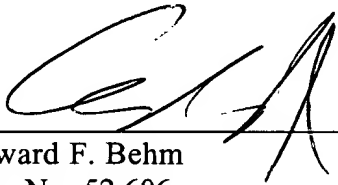
Applicant has removed from present consideration claims 1-6, 11-29, 32, 33, 50-55, 71-79, 83, 85-89 and 92-94 rejected by the Examiner, and reserves the right to further prosecute in one or more continuing applications, those, and any other claims, supported by the disclosure of the present application.

## **CONCLUSION**

Wherefore, Applicant believes he has addressed all outstanding grounds raised by the Examiner and respectfully submits the present case is in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or outstanding matters, the Examiner is cordially invited and requested to contact Applicant's undersigned attorney at his number listed below.

Respectfully submitted,

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